

Person, Curtis
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2993

House Bill No. 3023*

by inserting the language "the person should have known" between the language "who" and "was" in the first sentence of subsection (b) in §39-15-210 of Section 1 of the introduced bill.

AND FURTHER AMEND by deleting subdivision (d) in §39-15-210 of Section 1 of the introduced bill in its entirety and substituting instead the following language:

(d) The knowing failure of a person to comply with any provision of this section or any rule or regulation adopted pursuant to this section constitutes unprofessional conduct if the person performing the abortion is a physician licensed or certified under title 63, chapters 6 or 9. Such unprofessional conduct subjects the physician, in addition to any other disciplinary action, to:

(1) A civil penalty assessed by the provider's health related board of not less than five hundred dollars (\$500) for the first violation;

(2) A civil penalty assessed by the provider's health related board of not less than one thousand dollars (\$1000) for the second violation; and

(3) Punishment as a Class A misdemeanor for a third or subsequent violation.

Senate Judiciary Committee Amendment #1 reduces the penalty for failure to comply with this act from a Class A misdemeanor to a \$500 civil penalty for a first violation; from a Class E felony to a \$1,000 civil penalty for a second violation; and from a Class E felony to a Class A misdemeanor for a third or subsequent violation. The amendment further provides that the offense is also committed if the physician **should have known** the child was under 13 years of age.